

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-cv-00171-RJC-DCK

|                             |   |              |
|-----------------------------|---|--------------|
| JESSIE FLUKER,              | ) |              |
|                             | ) |              |
| Plaintiff,                  | ) |              |
|                             | ) |              |
| v.                          | ) |              |
|                             | ) | <u>ORDER</u> |
| GENUINE PARTS COMPANY d/b/a | ) |              |
| NAPA AUTO PARTS and ALVIN   | ) |              |
| HILL,                       | ) |              |
|                             | ) |              |
| Defendants.                 | ) |              |
|                             | ) |              |

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**THIS MATTER** comes before the Court sua sponte. Plaintiff filed his Complaint in this matter on April 17, 2015, (Doc. No. 1), and the Clerk of Court issued the summonses on April 20, 2015, (Doc. No. 4). Defendant Genuine Parts Company d/b/a NAPA Auto Parts filed its Answer to the Complaint on July 30, 2015. (Doc. No. 5). It appears, however, that Plaintiff has failed to serve the Complaint in this action upon Defendant Alvin Hill. The Court issued an Order directing Plaintiff to perfect service of his Complaint on Defendant Alvin Hill by October 15, 2015, or provide good cause for his failure to do so. (Doc. No. 6). Plaintiff was warned that failure to perfect service on Defendant Alvin Hill would likely result in that defendant being dismissed from the case. (Id.).

A review of the docket in this matter reveals that Plaintiff has neither responded to the Court's Order nor provided any evidence that he has perfected service upon Alvin Hill. Accordingly, Alvin Hill shall be dismissed from this case without prejudice.

**IT IS, THEREFORE, ORDERED** that Defendant Alvin Hill is **DISMISSED** from the case without prejudice.

Signed: April 22, 2016



Robert J. Conrad, Jr.  
United States District Judge